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13 Attorneys for Defendant
14 GOOGLE INC.

15
16 UNITED STATES DISTRICT COURT
17 NORTHERN DISTRICT OF CALIFORNIA
18 SAN FRANCISCO DIVISION

19 ORACLE AMERICA, INC.,
20 Plaintiff,
21 v.
22 GOOGLE INC.,
23 Defendant.

Case No. 3:10-cv-03561-WHA

**DECLARATION OF DAVID ZIMMER
IN SUPPORT OF GOOGLE INC.'S
OPPOSITION TO ORACLE AMERICA,
INC.'S MOTION TO STRIKE
PORTIONS OF GREGORY
LEONARD'S SUPPLEMENTAL
EXPERT REPORT**

Dept.: Courtroom 8, 19th Floor
Judge: Hon. William Alsup

1 I, DAVID ZIMMER, declare as follows:

2 1. I am an associate in the law firm of Kecker & Van Nest LLP, counsel to Google
3 Inc. ("Google") in the present case. I submit this declaration in support of Google Inc.'s
4 Opposition to Oracle America, Inc.'s Motion to Strike Portions of Gregory Leonard's
5 Supplemental Report. I have knowledge of the facts set forth herein, and if called to testify as a
6 witness thereto could do so competently under oath.

7 2. Attached hereto as **Exhibit A** is a true and correct copy of the United States
8 Patent with the Patent Number US RE38,104 E.

9 3. Attached hereto as **Exhibit B** is a true and correct copy of the United States
10 Patent with the Patent Number Re. 36, 204.

11 4. Attached hereto as **Exhibit C** is a true and correct copy of the United States
12 Patent with the Patent Number 5,367,685.

13 5. Attached hereto as **Exhibit D** is a true and correct copy of D. Harhoff, F. Scherer
14 & K. Vopel, *Citations, family size, opposition and the value of patent rights*, 32 Research Policy
15 1343 (September 2003).

16 6. Attached hereto as **Exhibit E** is a true and correct copy of Manuel Trajtenberg, A
17 *Penny for Your Quotes: Patent Citations and the Value of Innovations*, 21 The RAND Journal of
18 Economics 172 (Spring 1990).

19 7. Attached hereto as **Exhibit F** is a true and correct copy of selections from a
20 document produced by Oracle in this case bearing production numbers OAGOOGL30742-
21 1130.

22 2. Attached hereto as **Exhibit G** is a true and correct copy of selections from
23 Oracle's Form 10-K, filed July 1, 2010. This document was produced by Oracle in this case, and
24 bears production numbers OAGOOGL0000062503-726.

25 I declare under penalty of perjury that the foregoing is true and correct and that this
26 declaration was executed at San Francisco, California on March 2, 2012.

27 By: /s/ David Zimmer
28 DAVID ZIMMER